

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: SERZONE  
PRODUCTS LIABILITY LITIGATION

MDL NO. 1477  
CIVIL ACTION NO. 2:04-cv-0315


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THIS DOCUMENT RELATES TO ALL CASES

**MEMORANDUM OPINION AND ORDER**

Pending before the court is the motion of Wannell Smith's counsel to substitute parties [Docket 4]. Plaintiff's counsel requests the court to substitute Floyd S. Smith, Jr., the administrator of Wannell Smith's estate, for Wannell Smith. Pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure, the court **GRANTS** the motion and substitutes Floyd S. Smith, Jr., for Wannell Smith.

The court **DIRECTS** the Clerk to send a copy of this Order to Wannell Smith's counsel, Defendant's Liaison Counsel, and Plaintiffs' Class Counsel.

ENTER: December 22, 2005

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE